

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:11-00125

ANTONIO JEFFRIES

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 4, 2021, the United States of America appeared by Patrick J. Jeffrey, Assistant United States Attorney, and the defendant, Antonio Jeffries, appeared in person and by his counsel, Rico R. Moore, Esq., for a hearing on a petition, seeking revocation of supervised release, submitted by United States Probation Officer M. Dylan Shaffer. The defendant commenced a five-year term of supervised release in this action on March 4, 2020, as more fully set forth in the Judgment Order entered by the court on October 11, 2011.

The court heard the admissions and objections of the defendant, the evidence adduced by the parties, and the representations and arguments of counsel.

Pursuant to the court's findings of fact and conclusions of law as enumerated in open court on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in this criminal action in the following respects: (1) the defendant violated the terms and conditions of his supervised release by his use of marijuana on a daily basis that includes the dates of marijuana use set forth in the petition from October, 2020, to April 1, 2021, as well as June 11 and June 18, 2021; (2) on January 19, 2021, the defendant tested positive for the use of oxycodone and oxymorphone; and, (3) the defendant failed to complete the requirement of a 120-day stay at Dismas Charities where he began his residence on April 12, 2021 but from which he was discharged on June 30, 2021, by virtue of seventeen rules infractions resulting in disciplinary reports; all as set forth on the record of the hearing.

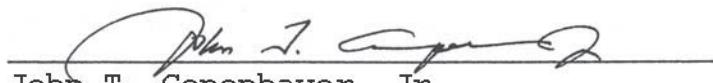
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b) (2) and (c) (1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583 (e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWO (2) MONTHS, with credit for time served, and with a term of THREE (3) YEARS of supervised release imposed with the same terms and conditions of supervised release as heretofore except that the 120 day Dismas Charities condition is not again imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 5, 2021



John T. Copenhaver, Jr.
Senior United States District Judge